

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13597 of 2019

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Mithlesh Sharma Son of Sri Jagan Nath Sharma Resident of Village-
Kurmuri, Police Station- Sikarhatta in the district of Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Principal Secretary Department of Home, Government of Bihar, Patna.
3. The Director General -cum- Inspector General of Police Bihar, Patna.
4. The Central Selection Board (For constable recruitment), Sri Sai Tala Complex, IAS Colony, Jawaharlal Nehru Marg, Patna, Bihar through its Chairman.
5. The Chairman Central Selection Board, Sri Sai Tala Complex, IAS Colony, Jawaharlal Nehru Marg, Patna, Bihar.
6. The Inspector General of Police Patna Zone, Patna.
7. The Deputy Inspector General of Police Patna.
8. The Senior Superintendent of Police Patna.
9. The Public Information Officer Central Selection Board (constable recruitment), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
For the Respondent/s	:	Mr. Sheo Shankar Prasad (SC 8) Mr. Ruchikar, AC to SC 8
For the C.S.B.C.	:	Mr. Sanjay Pandey, Advocate Mr. Binod Kr. Mishra, Advocate Mr. Vivek Anand Amritesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 09-07-2019

Heard the learned counsel for the petitioner and

the respondent/Central Selection Board (for Constable

recruitment).

2. The petitioner has challenged the

communication dated 01.02.2019 contained in Memo No.



80 issued under the signature of the Public Information Officer, Central Selection Board (for Constable recruitment), Bihar, Patna whereby the petitioner has been informed that there was mismatch in his application with respect to the category under which he had applied and the certificates which he had produced.

3. It is the case of the petitioner that against the Advertisement No. 01 of 2014 which was published for recruitment of Constables, the petitioner applied and was declared successful in the written test. Admit Card also was issued to him for screening and physical tests. In the physical test, the petitioner was declared successful and was directed to submit his testimonials including caste certificate for verification. It is only thereafter that his name did not find place in the list of successful candidates. It has further been submitted that very late in the day was he communicated about such mismatch and therefore he has been disqualified.



4. Learned counsel for the respondent/Central Selection Board (for Constable recruitment), Bihar, Patna submits that after the selection process of 2014, another selection process was completed and the petitioner has approached this Court after a long lapse of time. The petitioner ought to have challenged his non-inclusion in the list of successful candidates. There cannot be any way in which the grievance of the petitioner can now be redressed with respect to the appointment process of the year 2014. Apart from that, if the petitioner submitted his form in BC category, it was incumbent upon him to furnish certificates of the same category and not of another category viz. EBC. It has also been submitted that even in the advertisement issued by the Central Selection Board (for Constable recruitment), it has been made clear that any mismatch in the caste certificate as also the documents furnished on behalf of an applicant, the candidature would be cancelled.



5. This Court cannot accord any relief to the petitioner for the aforesaid reasons as also for his approaching this Court after the process is over long time ago.

6. There is no merit in this petition and the same is dismissed.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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